NOTES OF LEGAL EVENTS.

The Supreme Court of the United States on Monday dismissed the writ of error which had been granted to review the judgment of the Naw York Court of Appeals in the matter of Edward C. Kimball, deceased. This case eriginated in the Surrogate's Court of Kings county, upon an application for letters of administration upon the estate of Mr. Kimball by Mande E. Kimball, who claimed to be his widow. This application was opposed by relatives of the deceased, who proved that the appleant had previously been the wife of James L Semon, from whom she had procured a North Dakota divorce without serving him with process in that State and without any appearance on his part in the suit. The Surro-gate decided that this North Dakota divorce had no force or effect here, and consequently that the applicant was never lawfully mar-riel to Mr. Kimball, inasmuch as she was still the wife of Mr. Semon at the time she went through the ceremony of marriage. The Aprelate Division of the Supreme Court and the Court of Appeals affirmed the decision of Surrogate Abbott, and also held that an attempt after Mr. Kimball's death to amend the North Dakota decree, so as to recite that Mr. Semon had appeared in the divorce suit, was ineffechad appeared in the the subsequent was included that to make good the subsequent marriage of Mr. Semist to Mr. Kimball. In all these proceedings it was assumed that Mr. Kimball had died without leaving any will, but a will has been discovered since the case got into the Supreme Court of the United States, so that the question as to who would be entitled to letters of administration is no longer of any importance. Hence the dismissal of the appeal.

An ordinance of the city of Buffalo which provides that all bread sold or offered for sale there shall be made into loaves weighing not less than a round and a half each has been deslared unreasonable and void by the Appellate Division of the Supreme Court in the Fourth Judicial Department. The Collins Eaking Company was prosecuted in the Mu-nicipal Court for selling a pound loaf bearing a patrictically colored label, conspicuously status the name of the maker and the weight and price of the brend." It appeared that the quality was wholesome, that no deception of any kind was practiced by the bakers or venders and that there was such a demand for one-pound loaves that the defendant sold 200 a day. The Munfeipal Court pronounced the ordinance unreasonable and the Appellate Division is of the same opinion. The proba-bition, says Mr. Justice Spring, must be reasomable in protecting the lives, health, com-fort or property of the citizens. "In this case no good to the public is apparent. Bread of the same composition weighing one pound is arget. There is no advantage to the public on the core of economy, as the price is ratably the me ' The Court also suggests that the erforement of the ordinance may diminish the number of persons employed as bakers. without any corresponding benefit to the peo-

The fary which was unable to agree in the constituty case against Theodore B. Willis, the totage Commissioner of City Works in Bro k vn. and William E. Phillips, formerly e Commissioner here, was impanelled from the Special Jury list made up under the statute enacted a few years ago at the instance of Judge George C. Barrett of this city. The disagreement has called out considerable errolem in condemnation of this method of Some Jury law, however, is hardly warranted reason of the failure to obtain a verdict one way or the other from the first Kings county are incomeded under it. Juries drawn under the general statutes have been known to disagree and yet no one has been impelled on that amount to denounce the whole system of selecting jurors as prescribed in those

Although it is well known that Mr. Choate has adverted an appointed instead of an elected judiciary, he stood up manfully for the sective system in his speech at the hanquet of the Hardwicke Society in London on the 1st of May. In response to Lord Russell's expreson of surprise that so many able lawvers had been developed under such an objectionable method of choosing Judges as prevails in most of the States of the Union, our new Ambassa-dor declared that the fight for an elective radiciary had been fought out and decided in its favor in this country fifty years ago; that litigation was comparatively cheap here and business men were willing to submit their differences to the courts, and that justice on the whole was administered to the satisfaction of the people. A strong indication that Judges on the part of litigants is to be found in the fact that hundreds of cases are tried in State courts, before Judges elected by the people, which might be tried in the Federal courts, before Judges appointed by the Presidert, if the parties so desired.

The Appellate Division of the Supreme Court which sits in Brooklyn rendered an im-portant decision on Tuesday in the case of Emil Greef against the Equitable Life Assur ance Society. The plaintiff is a policyholder in the defendant corporation. His policy provides that during its continuance it "shall be entitled to participate in the distribution of the surplus of this society, by way of increase to the amount insured, according to such principles and methods as may from time to time be adopted by this society for such distribution." In his complaint the plaintiff alleged that the defendant ascertained and declared its net surplus to be \$43,277,179 for the year 1800, and that the proportion thereof due to him according to the principles and methods of the corporation which were in force during the lite of his policy was \$11,-015.38, whereas he had actually been awarded only \$3.632, of the surplus. He therefore sued to recover the balance. The insurance company demurred on the ground that the emplaint did not state a legal cause of action. its position was that the plaintiff's rights to receive anything out of the surplus were limited to a distribution thereof according to such principles and methods as the company migh: from time to time adopt; and that its officers were clothed by law with full discretion to determine what proportion of the surplus at any particular time was to be divided among the bolleyholders. In a clear and well-reasoned nion by Judge Woodward the Appellate Digisi n has held that the plaintiff by the terms of his policy is entitled to the proportion of the surplus which he claims.

Scolding from the judicial bench is not a breity habit, however great may be the tempfation to include in it. The District Attorney of the senisty of New York has been "scored" ** severely and continuously of late by the Judges of the Court of General Sessions, even in his absence, as to suggest a doubt whether such indiscriminate and perpetual denunciation does not do more injury to that tribunal by detracting from the dignity which should distinguish it than it does good to the public by correcting the methods of Major Gardiner's office. Has a Julice any right, indeed, to call the Public Prosecutor a moral coward, as Re-sorder Goff stigmatized the District Attorney the other day, because he thought that officer should not have permitted a particular case to be brought to trial? Would the Recorder allow Major Gardiner to call him a moral cowand in court on account of his judicial action?
We think not. While proper occasions may arise for rebuke from the bench, there is a tatical difference between the appropriate robation of misconduct and the daily in dugages of the scoiding habit. It should not rkotten that the berated lawyer is in a

position, which forbids him from talking back. Telephone Girls May Form a Union. The telephone girls in this city are thinking of forming a union. They have no particular object in view in organizing, but think it might be a good thing.

If You Haven't Tried It Before Begin now, and learn what other leading summer resort advertisates have discovered through advertising in The Roy. The result, a desirable, well-paying clientage.—Adv.

YOSEMITE OFF FOR GUAM.

Takes Capt. Leary to Be Governor and s Large Lot of Supplies.

The auxiliary cruiser Yosemite early resterday afternoon started from the navy yard on her long voyage to the island of Guam, which has become a possession of the United States through the war with Spain. The most distinguished man aboard is Capt. Richard P. Leary, who is to combine the double title of commander of the Eastern Division of the Asiatic fleet and Governor of Guam. An hour or so before the departure of the vessel an interesting ceremony took place on the starboard side, where the battailon of marines was called to quarters by Capt. George E. Ide.

board side, where the battoilon of marines was called to quarters by Capt. George E. Ide. the commander. Rear Admiral Philip, the commander of the yard, presented to the crew, on behalf of Miss Helen Gould. 150 coolea of the New Testament and the Psalms with her best wishes and "good-by." The Testaments are finely bound, elit-edged pocket editions, and each has inscribed on the opening page in Miss Gould a handwriting. "Happy is that people, whose God is the Lord. Psalms exity. 15. H. M. G."

Rear Admiral Philip said that it was Miss Gould's intention to be present, but that she was prevented by illness. He wished all the men a pleasant voyage and a happy experience, admonishing them to be watchful of the honor of the Stars and Stripes.

As the Yosemite left the yard she saluted Rear Admiral Philips flag on the Vermont with thirteen guns, and there was an answer of nine gams from the Cob Dock in honor of Carl. Leary. Her route will be by way of the Mediterranean Sea and Suez Canal. Those are the officers of the Yosemite:

Cant. George E. Ide, commanding: Lieutenant-Commander Clifford J. Boush, executive officer: Lieut. John E. Croven, navigator: Lieuts. Francis Boughter, Arthur B. Hoff. Louis M. Nulton, Ensigns Roseoe Spear, Charles L. Poor, Surgeon Philip Leach, Assistant Surgeon Alfred G. Greenwell, Passed Assistant Paymaster E. W. Bonaffon, First Lieutenant of Marines C. G. Andriessen, Chief Sailmaker, G. Van Mater, Boatswain Hugh Sweeny, Carpenter W. A. Barry, Pay Clerk G. Ryan. For the garrison at Guam there are Moor A. C. Kelton, Capts. C. L. A. Ingate and J. H. Russell, First Lieuts. H. W. Carpenter and J. H. Russell, First Lieuts. H. W. Carpenter and J. H. Russell, First Lieuts and Fas Clerk O. H. Bertin, who will join the cruiser Boston at Manila. In addition to the regunar complement of twenty-five inarines, the Yosemite carries 125 men of that corps and ten musicians. There are two 3-inch field suns and two Colt's automate guns for the garrison at Guam. Capt. Leary takes along a large counsity of sup

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Carl H. Schultz's Mineral Water.
Vichy, Seltera Carbonic, Lithia Water, Lithia Vichy,
Lithia Carlsbad, Double Carlsbad, Kissingen, Marienbad, Pullina, Hemburg, Permont, Wildingen, &c.,
possess the same curative proporties as natural waters, and are preferred to them on account of their
uniform composition, great effervescence, and freedom from bacteria. Carl H. Schultz, 430 to 444 1st
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Rheumatism and Gout cured in every case since 18th. FAMOUS PRESCRIPTION 100,384. Always sade and reliable. 76c. bot. MULLER'S PHARMACY, 74 University place, New York.

DIED.

BONNER. - At San Francisco, Cal., on May 8, 1899, John Bonner, aged 70 years,

EGAN.-At Newark, N. J., 6th inst., Mary, wife of Peter and mother of the Rev. Andrew M. Egan of Merris Plains, N. J. A selemn high mass of requiem will be celebrated at St. Patrick's Cathedral, Newark, at 9 A.M.

Tuesday, May 9, for the repose of her soul. Interment at Newark. JOHNSTON .- At Poughkeepsie, N. Y., William

Services will be held at his late residence, 251 Mill st. on Sunday, at 3 P. M. Interment at conven sence of family.

LA MONTAGNE, At Newberns, N. C., on the 5th inst., of pn-umonia, Pierre, son of Edward and Erne-tine La Montagne. Notice of funeral hereafter.

McKINNEY. At Mount Vernon, N. Y., May 6, 1800, John Drury, infant son of Mr. and Mrs. Glenn Ford McKinney. ROGERS. On May 6, 1899, at 6 West 56th st., Marie Conde Rogers, wife of Lebbeus H. Rogers,

Jr., and eldest daughter of Mr. and Mrs. Swits Services at house Sunday, May 7, at 5 P. M. Burial at Oswego, N. Y.

TRAUTMAN .- Suddenly, of appendicitie, Alice Edna, youngest daughter of Ralph and Mary E. Trautman. Notice of funeral hereafter.

WHITNEY,-At Westbury, L. I., May 6, Edith Sybil Whitney, beloved wife of William C. Whitney. Notice of funeral hereafter.

THE KENSICO CEMETERY.—Private station, Har-lem Railroad; 43 minutes ride from the Grand Central Depot. Office, 16 East 42d st.

Special Hotices.

WATCHES FOR SALE, -\$600 18 k. split second Tiffany" hant ng, plain, \$250; 18 k. "C. II Roth." cost \$1000, hunting, engine turned, \$100, 14 k, Wal-thain chromograph, cost \$200, pla n hunting, \$75, KEENE S, 140 Fulton st., New York (near Nassau st.). RHEUMATISM, Gout, Nervous Diseases yield instantaneou-by to Dr. NOEL'S Electro-Therma Baths, 41 West 33d st.

TRUTHS about deep breathing in the cure of con PILES. - DR. CHAPMAN, 107 East 23d. No cut-ing, no lost time. Book free, Pay when cured.

Religious Notices.

COCIETY FOR ETHICAL CULTURE Sunday, May 7, 1849, at 11/20 A. M., at Carnegie Music Ball, corner 57th st. and 7th av. Lecture by Dr. Feit Adler, who will deliver the twenty-third anniverwary address. Subject, "More Light," All interested are invited.

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West 80th -t. 500.—Kipling's "Out of India," "Fleet in Being." WANTED—A good folding machine, Dexter pre-ferred, P. O. box 2477.

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LADIES' BATISTE BLOUSES (Unmade), \$1.00, \$1.50, \$2,00 UP TO \$4.50

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To WHOM IT MAY CONCERN.—Any person know-ing of the whereabouts of James Frederick Heeppner please inform the undersigned. EVAN JONES, Administrator, 227 Coal st., Easton, Pa. To LEASE, furnished, for bachelor or dentist, 2d floor en suite; references exchanged, 40 West

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